

## ***The Associated Press***

### **Equal justice study finds legal services for poor insufficient**

**By Paul Queary**  
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Washington's low-income residents get far too little help with serious legal problems, a study commissioned by a state Supreme Court task force found.

The study released Monday found that more than three-quarters of low-income households experience at least one important civil legal problem every year, but less than 15 percent of those households get any kind of help.

"There is a chasm between the promise of equal justice and the reality that equal justice is wanting for people in our state," said Jim Bamberger, a Spokane-based lawyer with Columbia Legal Services, one of two statewide providers of legal help for the poor.

Without legal help, the poor often wind up losing crucial struggles with debtors, landlords and government officials, and for debtors that can mean the difference between solvency and bankruptcy, shelter and homelessness, even food stamps and hunger.

"The stories we were getting were routine and insistent," said Bamberger, who worked on the study and encountered repeated accounts of bullying and discrimination. "These people were living in fear."

The most likely to get legal help were people dealing with family law problems such as divorce and child custody issues. But even then, only 30 percent had help. For other categories of problems, fewer than 10 percent had help.

The study - conducted by researchers at Portland State University and Washington State University, included a field survey, a telephone survey and a series of interviews with stakeholders such as judges, attorneys and social service providers.

The most common legal problems faced by the poor have to do with housing, followed by family law, employment and consumer issues, the study found.

Unlike public defenders for criminal suspects - required by the U.S. Constitution - free civil legal help for the poor is not mandatory. In Washington, an already sparse network of paid and volunteer lawyers has gotten sparser in recent years as the population it serves has grown larger and more complex.

Washington has more than 1 million low-income residents, 46 percent more than in 1990, according to the U.S. Census.

Meanwhile, the number of lawyers and paralegals paid to help Washington's poor in civil cases has dwindled from 140 in 1981 to 86 today, said Bamberger. Most are employed by two agencies: Columbia Legal Services and the Northwest Justice Project.

Volunteer work by private lawyers adds another 50,000 hours of attorney time, the equivalent of about 35 or 40 full-time people, he said.

The money for the paid lawyers and the coordinators who recruit volunteers comes from three sources: the state, the federal government, and interest on money held in trust by attorneys on behalf of their clients.

While the other two sources haven't grown, the state share - about \$4.8 million - has been especially vulnerable to budget cuts, Bamberger said.

"That which we do sometimes is not very popular with people who have access to legislators," said Bamberger, who expects further layoffs in the near future.

Earlier this year, Washington Supreme Court Chief Justice Gerry Alexander called for increasing the fee for filing a lawsuit in Superior Court from \$110 to \$200, a move that would have produced \$4 million per year to help poor people negotiate the legal system.

In a tough budget year, the proposal died without a vote in either the House or the Senate, but advocates hope for more success next year.

"The most troubling aspect of the survey is that unmet civil legal needs disproportionately affect women and children in our society," said Justice Charles Johnson, co-chairman of the Supreme Court's Task Force on Civil Equal Justice. "The study serves as a wake-up call for all of us who believe in our democracy's promise of equal justice under the law."